

From: [James McKenna](#)
To: [Chip Humphrey/R10/USEPA/US@EPA](#); [jworonets@anchorage.com](#); [Rick.Applegate@portlandoregon.gov](#); [rjw@nwnatural.com](#)
Cc: [Kristine Koch/R10/USEPA/US@EPA](#)
Subject: Re: Dispute deadline for comment #16 FS Key Elements
Date: 07/29/2011 06:49 AM

Thank you Chip (and good morning!).

Jen, please forward this to Exec. Jim.

----- Original Message -----

From: Chip Humphrey [mailto:Humphrey.Chip@epamail.epa.gov]
Sent: Friday, July 29, 2011 08:47 AM
To: Jennifer Woronets <jworonets@anchorage.com>; James McKenna; Rick Applegate (Rick.Applegate@portlandoregon.gov) <Rick.Applegate@portlandoregon.gov>; Bob Wyatt <rjw@nwnatural.com>
Cc: Kristine Koch <Koch.Kristine@epamail.epa.gov>
Subject: Re: Dispute deadline for comment #16 FS Key Elements

Bob & Jim

EPA will extend the dispute deadline for comment #16 to August 12 to provide additional time to discuss and resolve this comment.

Chip Humphrey
EPA RPM

EPA has reviewed the LWG's July 27, 2011 table, attached below, and concurs with the categorization of comments that are directive with the July 29 date, and generally agrees with the proposed path forward with the exception of the following:

Comment # 16

EPA has not seen LWG's analysis supporting the 1.4 to 2.2 ratio, so we are unsure if we agree with the proposed path forward. Attached is an analysis illustrating the concerns raised in our comments. It shows that for shallow dredge prisms (1ft) the LWG estimate is much higher; for deeper dredge prisms (10 feet), it's closer. This is to be expected because if you add 3 ft of overdredge on a 1 ft dredge depth, total CYS will be proportionally high. If you add 3 ft overdredge to a 10 ft dredge depths, it'll be less so. Overall, the LWGs estimates are higher; and EPA is concerned that if removals are dominated by shallow depths, it will be more so. For the "max" estimates (which will drive costs/schedule), the LWG estimates exceed the 50/100 estimates by 175%, 15%, and 8% (for 1 ft, 5 ft, and 10 ft dredge depths).

Other sites have used the approach described in our comments (e.g. Duwamish), which is consistent with the technical guidance cited in our comments), and EPA remains concerned with the LWG's approach for shallow dredge prisms.

(See attached file: DredgeVolComp.xlsx)

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Date: 07/27/2011 12:03 PM

Subject: Proposed Path Forward to EPA July 15th FS Key Elements
Comments With a July 29th Dispute Deadline

Chip, Kristine,

Attached please find a table capturing the resolutions reached in our call yesterday regarding EPA's comments on the FS key elements. Because of the impending dispute deadline, we request EPA's concurrence by noon on Friday, July 29th that: (1) this table incorporates all directive comments that have a July 29th dispute resolution; (2) with respect to comments 16, 18 and 21, which EPA needed further time for evaluation, EPA concurs with the proposed path forward; and (3) with respect to all other comments in the table EPA agrees that this accurately captures the agreed upon proposed path forward.

EPA clarifications to the directive nature of comments are noted in redline under the column labeled "Directive?". Also, the content of the last two columns of this table was changed to be consistent with the path forward discussions.

Please let us know if you have any questions.

Thank you,
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(See attached file: 2011-07-27 Proposed Path Forward for EPA FS Key Elements Comments Dispute July 29 Deadline.pdf)